



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Agriculture

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

- ☒ 31 days after filing.  
☐ Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:**

To exempt liquid formulations of ready-to-use phenoxy hormone-type herbicides from being declared State Restricted Use pesticides. Currently, salt formulations of phenoxy hormone-type herbicides distributed in quantities of one gallon or less and dry formulations intended only for home and garden use or turf use are exempt from being designated as State Restricted Use. The amendments add ready-to-use liquid formulations to the list of exempted products. The proposed amendments are a result of a petition for rule making submitted by The Scotts Company, LLC.

**Citation of existing rules affected by this order:**

Repealed:  
Amended: 16-228-1231, 16-230-610  
Suspended:

**Statutory authority for adoption:** RCW 15.58.040 and 17.21.030

**Other authority :** chapter 34.05 RCW

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 14-04-100 on February 4, 2014  
Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**Date adopted:**

April 2, 2014

**NAME (TYPE OR PRINT)**

Bud Hover

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: April 02, 2014**  
**TIME: 10:25 AM**

**WSR 14-08-095**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	<u>2</u>	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____